

REMARKS

The Official Action of January 9, 2008, has been carefully reviewed. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

No claims have been amended. The claims under consideration are Claims 1-37.

I. Restriction Requirement

Under 35 U.S.C. 121, the Examiner required restriction among:

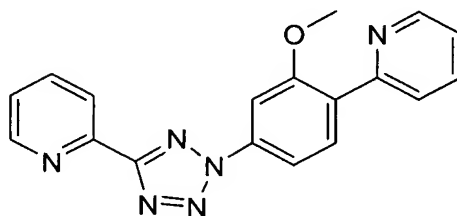
- I. Claims 1-19 drawn to compounds of the Formula I, and a pharmaceutical composition thereof; and
- II. Claims 20-37 drawn to methods of use of compounds of Formula I;

In response to this requirement, the Applicants hereby elect Group I, Claims 1-19 drawn to a compound of the Formula I, and a pharmaceutical composition thereof, without traverse.

The claims reading on this group are Claims 1-19.

Under 35 U.S.C. 121, the Examiner further requested election of a single species for purposes of the search.

In response to this requirement, Applicants hereby elect the compound of Example 26 (page 56) and Claim 16, page 134, 3rd line, 3rd column, without traverse:



The elected claims reading on this compound are Claims 1, 4, 5, 6, 9, 11, 13, 16, 17-19.


Although the Applicants maintain that the claims should not be subject to restriction, in the interest of compact prosecution they have amended the claims to be directed to the elected subject matter.

This election is being taken without prejudice to the filing of a divisional application directed to the non-elected subject matter. In accordance with the third sentence of 35 U.S.C. § 121, a patent issuing from the instant application should not be a reference against a divisional application filed before the issuance of such patent.

An Information Disclosure Statement is submitted herewith.

Applicants respectfully contend that the application is allowable and a favorable response from the Examiner is earnestly solicited.

Respectfully submitted,

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